

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Crim. No. 05-10003-NMG
)	
DEEB HOMSI,)	
)	
Defendant.)	

ASSENTED TO MOTION FOR A CONTINUANCE

The United States of America, by and through the undersigned attorneys, hereby moves for a continuance of the sentencing date in this matter until June 2009.

In support of this motion, the government states that the defendant pled guilty in the above-referenced case on December 16, 2005 and is currently scheduled to be sentenced on October 17, 2008. However, the defendant's plea agreement requires the defendant to cooperate with the United States. It is anticipated that the defendant will testify in the case *United States v. Arthur Gianelli, et al.*, Crim. No. 05-10003-NMG, a multi-defendant racketeering case. Trial in that case has been scheduled for February 17, 2009 and is expected to last for approximately three months. Thus, that case will not be resolved by the currently scheduled sentencing date for this defendant.

The plea agreement requires the government to file a substantial assistance motion if the government determines that the defendant has provided substantial assistance. Since the *Gianelli* trial has not yet occurred, the government is not presently in a position to file such a motion, and the defendant therefore is not currently in a position to benefit from that portion of his plea agreement. The government will not be in a position to determine whether it should file a substantial assistance motion until the *Gianelli* case is resolved by trial or otherwise.

Accordingly, the government respectfully requests that the sentencing of this defendant be continued until June 2009.

The defendant assents to a continuance of his sentencing for the reasons set forth above.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ MICHAEL L. TABAK
MICHAEL L. TABAK
Assistant United States Attorney
U.S. Attorney's Office
United States Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
617-748-3203

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants.

/s/ Michael L. Tabak
MICHAEL L. TABAK
Assistant United States Attorney

Date: September 8, 2008